

Tennessee Valley Authority

§ 1304.103

capable of withstanding prolonged exposure to wave wash and weather conditions.

[36 FR 20424, Oct. 22, 1971, as amended at 42 FR 65147, Dec. 30, 1977. Redesignated at 44 FR 30682, May 29, 1979]

§ 1304.4 Treatment of sewage.

No person operating a commercial boat dock on or over real property of the United States in the custody and control of TVA, or on or over real property subject to provisions for the control of water pollution in a deed, grant or easement, lease, license, permit or other instrument from or to the United States or TVA shall permit the mooring on or over such real property of any watercraft or floating structure equipped with a marine toilet unless such toilet is in compliance with all applicable statutes and regulations, including the FWPCA and regulations issued thereunder.

[42 FR 65147, Dec. 30, 1977. Redesignated at 44 FR 30682, May 29, 1979]

§ 1304.5 Removal of unauthorized, unsafe, and derelict structures.

If, at any time, any dock, wharf, floating boathouse, nonnavigable houseboat, outfall, or other fixed or floating structure or facility anchored, installed, constructed, or moored under a license, permit, or approval from TVA is not constructed in accordance with plans approved by TVA, or is not maintained or operated so as to remain in accordance with such plans, or is not kept in a good state of repair and in good, safe, and substantial condition, and the owner or operator thereof fails to repair or remove such structure (or operate or maintain it in accordance with such plans) within ninety (90) days after written notice from TVA to do so, TVA may cancel such license, permit, or approval and remove such structure, or cause it to be removed, from the Tennessee River system and/or lands in the custody or control of TVA. Such written notice may be given by mailing a copy thereof to the owner's address as listed on the license, permit, or approval or by posting a copy on the structure or facility. TVA will remove or cause to be removed any such structure or facility anchored, installed, constructed, or moored with-

out such license, permit, or approval, whether such license or approval has once been obtained and subsequently canceled, or whether it has never been obtained.

[42 FR 65147, Dec. 30, 1977. Redesignated at 44 FR 30682, May 29, 1979]

Subpart B—Approval of Construction

§ 1304.100 Scope and intent.

Approval must be obtained with respect to each structure subject to section 26a of the Act prior to its construction, operation, or maintenance. This subpart prescribes procedures to be followed in any case where it is desired to obtain such approval.

[42 FR 65147, Dec. 30, 1977. Redesignated at 44 FR 30682, May 29, 1979]

§ 1304.101 Delegation of authority.

The power to approve or disapprove applications under this part is delegated to the Director, subject to appeal to the Board as provided in §1304.106. In his discretion the Director may submit any application to the Board for its approval or disapproval. Administration of the handling of applications is delegated to the Division of Land and Forest Resources.

[42 FR 65147, Dec. 30, 1977, as amended at 44 FR 23066, Apr. 18, 1979. Redesignated at 44 FR 30682, May 29, 1979]

§ 1304.102 Application.

Applications shall be addressed to Tennessee Valley Authority, Director of Land and Forest Resources, Norris, Tenn. 37828.

[44 FR 20366, Apr. 18, 1979. Redesignated at 44 FR 30682, May 29, 1979]

§ 1304.103 Contents of application.

(a) Each application must be accompanied by five (5) complete sets of plans for the construction, operation, and maintenance of the proposed structure. The application shall be prepared according to "Instructions for Preparing an Application for an Approval of Plans for Proposed Structures Under